

Message Text

LIMITED OFFICIAL USE

PAGE 01 TOKYO 15072 210938Z
ACTION SCS-06

INFO OCT-01 EA-10 ISO-00 L-03 HA-05 H-01 PA-01 /027 W
-----064076 211014Z /21

P 210920Z AUG 78
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC PRIORITY 0541

LIMITED OFFICIAL USE TOKYO 15072

E.O. 11652: N/A

TAGS: CARR (REMPELL, STEVEN H.) ETRD, BEXP, JA
SUBJECT: STEVEN REMPELL MEDIA COVERAGE AND CONGRESSIONAL
INQUIRIES

REF: A. STATE 21962 B. 20932 C. TOKYO 10915 AND SUBSEQUENT

1. REMPELL WAS RELEASED FROM PRE-TRIAL DETENTION IN MID JULY 1974. RECORDS INDICATE THAT THEN CONSULAR OFFICERS MADE EVERY EFFORT TO GET REMPELL RELEASED. REMPELL WAS FINALLY FREED ON 1.5 MILLION YEN BAIL AGAINST EMBASSY UNDERTAKING TO HOLD HIS PASSPORT TO GURANTEE HIS APPEARANCE AT TRIAL. EMBASSY RETURNED PASSPORT TO REMPELL'S CONTROL ON SEPTEMBER 10, 1976, AFTER APPROPRIATE NOTIFICATION TO COURT.

2. REMPELL HAS BEEN AT LIBERTY SINCE JULY 18, 1974, AND REPRESENTED BY COUNSEL OF HIS CHOICE.

3. FROM EARLY DAYS OF TRIAL REMPELL'S ATTORNEYS HAVE ON REPEATED OCCASIONS COUNSELED AGAINST ANY EMBASSY INTERVENTION IN COURT PROCEEDINGS BOTH ON GROUNDS OF INAPPROPRIATENESS AND ON GROUNDS THAT ANY EMBASSY INTERVENTION MIGHT BE COUNTERPRODUCTIVE WITH RESPECT TO REMPELL'S DEFENSE EFFORTS.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 TOKYO 15072 210938Z

4. LETTER TO SECRETARY VANCE BY REMPELL'S FATHER TIES ALLEGATION OF "TOTAL ABANDONMENT OF MY SON BY THE AMERICAN CONSUL AND WHY THE EMBASSY CHOSE TO CLOSE THEIR EYES TO THIS PLIGHT" TO MONDAY, JULY 10, 1978, SCOTT-STOKES' NEW YORK TIMES ARTICLE: "DURING THIS TIME THE U.S. EMBASSY REPORTEDLY TOOK NO STEPS TO ASSIST HIM...". SCOTT-STOKES

THEREAFTER VOUNTEERED TO CONSULAR OFFICER THAT HE "WAS SORRY THAT WE TURNED SOMETHING UPSIDE DOWN IN THE EDITING PROCESS IN NEW YORK AND HAD STATEMENT IN A STORY THAT I DIDN'T APPROVE ... I AM AWARE THAT THE EMBASSY SAYS THAT IT OBTAINED HIS RELEASE FROM PRISON. SO,SORRY." (XEROX OF LETTER BEING POUCHED TO DEPARTMENT ALONG WITH TWO EMBASSY LETTERS TO INTERESTED AMCITS WHICH DEPT. MAY WISH TO DRAW ON.)

5. COMMENT: AS PREVIOUSLY REPORTED, EMBASSY HAS BEEN IN FREQUENT CONTACT WITH REMPELL, MEETING WITH HIM AND HIS ATTORNEYS FOR DETAILED DISCUSSIONS ON REPEATED OCCASIONS. SENIOR CONSULAR OFFICER ATTENDED TWO FULL SESSIONS OF REMPELL'S TRIAL. AS INDICATED REFTEL (C), JAPANESE PROSECUTION CHARGED CUSTOMS LAW EVASION AND LIQUOR LAW EVASION BYUNDERVALUING OF IMPORTED COMMODITIES AND OTHER DELIBERATE MISREPRESENTATIONS. REMPELL HAS DEFENDED HIMSELF BY CHARACTERIZING THESE CHARGES AS EFFORTS TO ENGAGE IN "PARALLEL IMPORTATION" (A LEGITIMATE METHOD OF CIRCUMVENTING SOLE IMPORTATION SYSTEM OBTAINING WITH RESPECT TO SUCH COMMODITIES AS LIQUOR.) THE PORTION OF EMBASSY'S FILES GOING BACK TO 1974 WHEN REMPELL WAS ALLEGEDLY MISTREATED DOES NOT DETAIL ANY SUCH SPECIFIC COMPLAINTS. THE FILE DOES SHOW REMPELL'S ALLEGATIONS OF "INTIMIDATION" BUT NOTHING WHICH MIGHT HAVE JUSTIFIED CONSULAR OFFICERS IN 1974 IN LODGING PROTEST OR TAKING LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 TOKYO 15072 210938Z

OTHER FORMAL ACTION. THE EMBASSY WAS SUCCESSFUL (1974) IN SECURING HIS RELEASE ON BAIL. IN ANY EVENT, REMPELL AND HIS ATTORNEYS HAVE PRESENTED THEIR CHARGES OF MISTREATMENT BY JAPANESE CUSTOMS AND INVESTIGATIVE OFFICIALS TO THE THREE JUDGE COURT IN DETAIL, AND THE COURT IS CONSIDERING THESE ALLEGATIONS AND SUPPORTIVE EVIDENCE. (REMPPELL'S AND PRESS CHARGES ALLEGING THAT REMPELL IS A VICTIM OF "NON-TARIFF TRADE BARRIER" SUBJECT OF SEPTTEL.) MANSFIELD

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, COURT PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TOKYO15072
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780341-0052
Format: TEL
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780840/aaaabhgm.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 970ddd5f-c288-dd11-92da-001cc4696bcc
Office: ACTION SCS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 21962
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1671248
Secure: OPEN
Status: NATIVE
Subject: STEVEN REMPELL MEDIA COVERAGE AND CONGRESSIONAL INQUIRIES
TAGS: CARR, ETRD, BEXP, JA, (REMPPELL, STEVEN H)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/970ddd5f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014